

STATE OF MINNESOTA

ss. AFFIDAVIT OF NATHAN R. BOYER

COUNTY OF RAMSEY

I, Nathan R. Boyer, being duly sworn, state as follows:

INTRODUCTION AND AGENT BACKGROUND

1. I am a Special Agent with the United States Department of Justice, Bureau of Alcohol, Tobacco, Firearms and Explosives ("ATF"), and have been so employed since November 2016. I am currently assigned to the St. Paul Field Division, where I am involved in various aspects of ATF enforcement programs, including investigations of violent criminals, criminal organizations, illegal use and trafficking of firearms, illegal use and storage of explosives, and acts of arson and bombings. I obtained a Master's of Science degree in Criminal Justice from St. Cloud State University. Prior to working at ATF, I previously worked for ten years in the chemical dependency field.

2. In my capacity as a Special Agent with the ATF, my responsibilities include, but are not limited to, investigating firearms violations under Title 18 of the United States Code. During my time with the ATF, I have investigated multiple cases falling within the ATF's Arson and Explosives jurisdiction. I graduated from the 26-week combined Criminal Investigator Training Program at the Federal Law Enforcement Training Center and the Special Agent Basic Training at the ATF National Academy. I have received significant amounts of training on the subject-matter within the ATF's jurisdiction, including courses in criminal investigations, federal firearms violations, federal arson laws, and federal explosives laws.

3. The facts in this Affidavit are based on my personal observations, my training and experience, evidence gathered pursuant to search warrants, and information obtained from other agents and witnesses. This Affidavit is intended to show merely that there is sufficient probable cause for the requested complaint and arrest warrant and does not set forth all of my knowledge about this matter.

4. This affidavit is being submitted in support of the criminal complaint for Dylan Shakespeare ROBINSON. Based on my training and experience and the facts set forth in this Affidavit, I respectfully submit that there is probable cause to believe that ROBINSON has aided and abetted the commission of arson in violation of 18 U.S.C § 844(i) (arson) and 18 U.S.C. § 2 (aiding and abetting).

FACTS ESTABLISHING PROBABLE CAUSE

Case History

5. On May 25, 2020, George Floyd died while in the custody of the Minneapolis Police Department. The nature and circumstances of Mr. Floyd's arrest, subsequent death, and the actions of the Minneapolis Police Department came under intense public scrutiny. Almost immediately following Mr. Floyd's death, public protests began in Minneapolis and expanded throughout the Twin Cities metro area.

6. Following the mostly peaceful protests that occurred on May 26, 2020, the cities of Minneapolis and St. Paul endured multiple nights of violence and destruction. Between May 27 and May 30, 2020, following several organized and peaceful protests, hundreds of individuals carrying on into the night vandalized and looted local businesses and destroyed buildings, vehicles, and other property through

arson, smashing doors and windows, and throwing objects. The Minneapolis neighborhood surrounding the East Lake Street/Hiawatha intersection, near the site of the police's encounter with Mr. Floyd, was particularly hard hit, with numerous business in the neighborhood looted and partially destroyed by vandalism and arson.

7. On the night of May 28, 2020, the Minneapolis Third Precinct police building located at 3000 Minnehaha Avenue (the "Third Precinct") was overrun and heavily damaged by fire. As seen in the below photograph published in *The Star Tribune*, flames and smoke are visible at the entrance to the Third Precinct.



8. Investigators have subsequently identified multiple separate fires started in the Third Precinct. Vandalism and arson that night caused extensive damage to the Third Precinct.

9. Based on information provided to me by the Minneapolis Police Department, the Third Precinct, located at 3000 Minnehaha Avenue, is property of

the City of Minneapolis. Both the Minneapolis Police Department and the City of Minneapolis conduct business in interstate commerce, for example by purchasing vehicles and other equipment and supplies in interstate commerce. The activities of the Minneapolis Police Department and the City of Minneapolis government in enforcing laws also affect interstate commerce.

Law Enforcement Observe ROBINSON in Surveillance Video

10. During the course of the investigation, law enforcement collected and reviewed surveillance video from an external camera located at the Third Precinct. Investigators reviewing that video identified an individual participating in the arson at the Third Precinct. That individual was later identified as ROBINSON. As can be seen in the below image from the Third Precinct surveillance video from May 28, ROBINSON is wearing a white shirt with a distinctive black stripe across the middle. He also appears to be wearing a black stocking cap.



11. In the surveillance video from the Third Precinct, ROBINSON is walking with another individual suspected of being involved in the arsons at the Third Precinct. That suspect is wearing a white hooded sweatshirt, and is referred to in the course of this investigation as "Individual A."

12. In surveillance video, ROBINSON appears to light an incendiary device being held by the Individual A. Based on my training and experience, the incendiary device is consistent with a Molotov cocktail.



13. The surveillance video shows Individual A appear to throw the incendiary device at the Third Precinct building, while ROBINSON is next to him holding a skateboard.



14. The surveillance video from the Third Precinct also shows the ROBINSON throwing what appears to be another incendiary device at the Third Precinct Building.



15. In the course of the investigation, ATF certified fire investigators found the remains of an incendiary device at the rear of the Third Precinct.

16. Investigators also reviewed a video posted on a Snapchat account for d2goat, believed to be an account used by ROBINSON. The time stamp on the video indicates that it was posted live at 9:23, and based on the circumstances in the video, investigators believe it was posted at 9:23 p.m. on May 28, 2020. During points of the video, ROBINSON points the camera at himself “selfie” style.

17. The video captures at least one individual appearing to make a Molotov cocktail. Multiple unidentified voices in the video are providing instructions and directions on how to make the device. At this point in the video, the account for d2goat types in the comments section “These guys have never made a Molotov and “Rookies.” Another unidentified voice can be heard trying to convince the group to stop, saying “I’m telling you right now, don’t do a fucking Molotov. That’s going to fuck everything up.” At one point during the video, an unidentified female voice can be heard saying “Dylan.” Later in the video, an individual says, “We need some everclear or gasoline. Gasoline is like honestly the most effective. Let’s go syphon some gasoline.” The account for d2goat types in the comments section “We need gasoline.” Another user replies, “Go syphon some shit.” D2goat responded, “Got it covered.”

ROBINSON Is Identified from the Surveillance Video

18. During the course of the investigation, law enforcement has reviewed publicly available social media accounts, including YouTube, Facebook, Instagram, Snapchat, and TikTok. Investigators viewed a video that had been uploaded to a

Facebook account (the video originally appears to have been filmed using Snapchat). The video shows the individual later identified as ROBINSON setting a fire inside of the Third Precinct.



19. Investigators identified the area in which ROBINSON set this fire as being located just outside of the first floor stairwell on the west side of the Third Precinct. When ATF certified fire investigators later conducted their examination of the Third Precinct, they recovered evidence of a fire set in proximity to that location.

20. On June 9, 2020, the ATF issued a press release asking for information from the public about individuals involved in the Third Precinct and other arsons. The ATF also released photos of several suspect, including ROBINSON, whose identity was unknown to law enforcement at that point.

21. On June 10, 2020, a woman emailed the ATF and said that the individual in the photographs released by ATF was named Dylan. She explained that Dylan was from the Brainerd area, and that he had gone to school with her son. She said that Dylan's Facebook account was www.facebook.com/dylan.troy.16. The woman, who provided her name to investigators but requested anonymity, said Dylan had removed pictures from his Facebook account. She said that she hoped that the ATF found Dylan and that he "also did AutoZone" and had posted videos on Snapchat.

22. During the rioting on May 27, 2020, the AutoZone located across the street from the Third Precinct at 2610 E. Lake Street was burned to the ground.

23. After receiving the tip, agents viewed the Facebook account for [dylan.troy.16](https://www.facebook.com/dylan.troy.16). All photographs from the account had been removed back to 2016. Investigators reviewing the [dylan.troy.16](https://www.facebook.com/dylan.troy.16) Facebook account confirmed that he is Facebook friends with the tipster son.

24. During a follow-up conversation with the tipster, she said that Dylan attended Pillager Area Charter School in Pillager, Minnesota (in the Brainerd area). She said that Dylan was 24 years old (investigators later learned that ROBINSON is actually 23 years old).

25. Investigators later sent still photographs from the Third Precinct surveillance cameras to an employee of the Pillager Area Charter School and informed the employee that the student's name might be "Dylan Jacob King." The employee did not recall a student with that name, but after additional review of

records identified the student as Dylan Robinson, a former student for a very brief time at Pillager Area Charter School.

26. ROBINSON is currently on probation in Crow Wing County related to a conviction for Fourth Degree Possession of Phencyclidine/Hallucinogen. According to ROBINSON's probation officer, ROBINSON is currently in violation of the terms of his probation. The probation officer told investigators that ROBINSON is supposed to text her every Wednesday to confirm his location and that he is attending drug treatment. The probation officer said ROBINSON's phone number is 763-401-2791, a/k/a the Target Mobile Phone. The probation officer last spoke with ROBINSON on May 20, 2020 using the Target Mobile Phone. During the conversation, ROBINSON asked about the potential consequences if he stopped attending drug treatment. He also talked about wanting to move to Denver. ROBINSON's probation officer viewed surveillance photos for identification purposes. The probation officer indicated that she believed the individual in the photos could be ROBINSON, but could not be certain. She indicated that ROBINSON was known to carry around a skateboard.

Investigators Obtain GPS Ping Data from ROBINSON's Phone

27. On June 12, 2020, investigators obtained a search warrant for information from ROBINSON's cell phone, including historical records containing cell site information and prospective GPS "ping" data.

28. On June 12, 2020, investigators obtained results from the search warrant. Historical cell cite data was consistent with ROBINSON's cell phone being

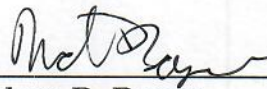
in the vicinity of the Third Precinct on the evening on May 28 into the morning of May 29.

29. On the evening of June 12, 2020, GPS ping data from ROBINSON's phone indicated that he was in the Denver, Colorado area. On the morning of June 13, 2020, GPS ping data indicated that ROBINSON was heading West I-70 in Colorado. As of 3:30 p.m., GPS data indicates that ROBINSON is continuing to head west on I-70 in Colorado.

CONCLUSION

30. Based on these facts, I believe there is probable cause that ROBINSON has violated Title 18, United States Code, Sections 2 and 844(i), in that he aided and abetted others in maliciously damaging by means of fire the Minneapolis Third Precinct police building located at 3000 Minnehaha Avenue, Minneapolis, Minnesota, a building used in interstate commerce.

Further Your Affiant Sayeth Not.



Nathan R. Boyer
ATF Special Agent

SUBSCRIBED and SWORN to before me by reliable electronic means (FaceTime and email) pursuant to Fed. R. Crim. P. 41(d)(3) on this 13th day of June, 2020.



The Honorable Hildy Bowbeer
United States Magistrate Judge